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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 JEUL SLADE, an individual

14 Plaintiff,

15 v.

16 EMPIRE TODAY, LLC, a Delaware
corporation, and DOES 1 through 50,
17 inclusive,

18 Defendant.
19
20

Case No.:

**NOTICE OF REMOVAL OF
ACTION TO FEDERAL COURT**

[Filed concurrently with Civil Cover
Sheet and Corporate Disclosure
Statement]

Action Filed: November 20, 2020

21 **TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

22 **PLEASE TAKE NOTICE** that, pursuant to 28 U.S.C. §§ 1331, 1441 and
23 1446, EMPIRE TODAY, LLC (“**Empire**”) removes the action filed by JEUL
24 SLADE (“**Plaintiff**”) in the Superior Court of the State of California in and for the
25 County of Alameda, captioned *Jeul Slade v. Empire Today, LLC*, Case No.
26 RG20080698, to the United States District Court for the Northern District of
27 California, on the basis of the following facts:
28

1 **A. FEDERAL QUESTION JURISDICTION**

2 1. Plaintiff has commenced an action against Empire in California state
3 court alleging two counts, both brought under the Fair Credit Reporting Act, 15
4 U.S.C. § 1681 et seq. (“**FCRA**”).

5 2. Plaintiff alleges that, as a result of Empire’s alleged violations of the
6 FCRA, he and putative class members “have been injured, including but not limited
7 to, having their privacy and statutory rights invaded.” (*See* Complaint at ¶¶ 43, 57).
8 Plaintiff seeks statutory damages, actual damages, punitive damages, injunctive and
9 equitable relief and attorneys’ fees and costs. (*Id.* at ¶¶ 44, 58).

10 3. Because this action involves two claims brought under the laws of the
11 United States, this Court has original jurisdiction over such claims, and the case is
12 therefore properly removed to this Court. *See* 28 U.S.C. §§ 1331, 1441(a).

13 **B. EMPIRE’S NOTICE OF REMOVAL IS TIMELY**

14 4. On or about November 20, 2020, Plaintiff filed this action in the
15 Superior Court of Alameda County, California, captioned *Jeul Slade v. Empire Today,*
16 *LLC*, Case No. RG20080698.

17 5. On or about November 25, 2020, Empire received a copy of the
18 Summons and Complaint. Pursuant to 28 U.S.C. § 1446(a), a true and accurate copy
19 of all process, pleadings, and orders served upon Empire in the action is attached
20 hereto as **Exhibit A**.

21 6. This Notice of Removal is filed within 30 days of receipt by Empire of
22 the initial pleading setting forth the claims for relief upon which the action is based.
23 28 U.S.C. § 1446(b).

24 7. Defendant filed and served its Answer in the state court action on
25 December 21, 2020. A true and correct conformed copy of Defendant’s Answer is
26 attached as **Exhibit B**.

C. REMOVAL IS PROPER PURSUANT TO 28 U.S.C. §§ 1441 AND 1446

8. As explained above, this Court has original jurisdiction over this Federal-question action under 28 U.S.C. § 1331. Pursuant to 28 U.S.C. §§ 1441 and 1446, removal of the above-captioned state court action to this Court is appropriate.

9. This action is properly removed to the United States District Court for the Northern District of California, because they are the district and division embracing Alameda County, California, where the state court action is pending. 28 U.S.C. §§ 1441(a).

10. Pursuant to Federal Rule of Civil Procedure 7.1, Defendant is filing a Corporate Disclosure Statement concurrently with this Notice of Removal.

11. As required by 28 U.S.C. § 1446(d), Defendant is providing written notice of the filing of this Notice of Removal to counsel for adverse parties and is filing a copy of this Notice of Removal with the Clerk of the Superior Court of the State of California, in and for the County of Alameda.

12. Empire reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendant Empire Today, LLC gives notice that the above-described action against it in the Superior Court of Alameda County, California is removed to this Court.

Dated: December 22, 2020

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Shareef S. Farag

Shareef S. Farag
Jennifer F. Delarosa

Attorneys for Defendant
EMPIRE TODAY, LLC